

Interview Summary

Application No.

09/458,077

Applicant(s)

SHIMOE ET AL.

Examiner

Michele Kidwell

Art Unit

3761

All participants (applicant, applicant's representative, PTO personnel):

(1) Michele Kidwell.

(3) _____.

(2) Kien Le.

(4) _____.

Date of Interview: 14 August 2003.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 6, 17 and 21.

Identification of prior art discussed: Dongleton (US 5,817,271).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Michele Kidwell
Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant's representative questioned the rejection of claim 17 that was previously objected to in the Advisory Action mailed 4/25/03. The examiner indicated that claim 17 is currently rejected as set forth in the non-final rejection mailed 6/26/03. Next, Mr. Le asked if the proposed amended claim 21 will overcome the currently pending 112, 2nd paragraph rejection. The examiner indicated that it would. Lastly, Mr. Le presented arguments with respect to the rejection made using the Congleton reference. Mr. Le indicated that since the absorbent expands upon cutting that the density in the regions surrounding the indented region would ultimately have a lower density. The examiner referred back to the previous argument that the cutting provides less mass per cubic centimeter and would result in a lower density. Mr. Le agreed that further arguments would be provided in response to the non-final rejection mailed 6/26/03..

PTOL-413A (12-02)
Approved for use through 10/10/2000, OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form					
Application No. <u>09, 468, 077</u>		First Named Applicant: <u>Nariaki</u>			
Examiner: <u>Kidwell</u>		Art Unit: <u>3761</u>		Status of Application: _____	
Tentative Participants:					
(1) <u>Michelle Kidwell</u> (2) <u>Kien Le</u>					
(3) _____ (4) _____					
Proposed Date of Interview: <u>8/14/03</u>			Proposed Time: <u>10⁰⁰</u> (AM/PM)		
Type of Interview Requested:					
(1) <input type="checkbox"/> Telephonic (2) <input checked="" type="checkbox"/> Personal (3) <input type="checkbox"/> Video Conference					
Exhibit To Be Shown or Demonstrated: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
If yes, provide brief description: _____					
Issues To Be Discussed					
Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejected</u>	<u>17</u>	<u>N/A</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) <u>112, 2nd</u>	<u>21</u>	<u>N/A</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rejected</u>	<u>6</u>	<u>Completion (5, 817, 271)</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					
Brief Description of Arguments to be Presented:					
<u>Applicant questioned the rejection of claim 17. Examiner indicated that claim 21 as proposed to be amended will overcome the 112, 2nd paragraph rejection. The Completion reference was discussed with respect to the claimed density. An interview was conducted on the above-identified application on 8/14/03.</u>					
NOTE:					
This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).					
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.					
<u>Kien Le</u>			<u>Michelle Kidwell</u>		
(Applicant/Applicant's Representative Signature)			(Examiner/SPE Signature)		

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Mr. Kien Trung Le is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Lowe Hauptman Gilman & Berner, LLP, to prepare and prosecute patent applications for clients of Lowe Hauptman Gilman & Berner, LLP in which a member of Lowe Hauptman Gilman & Berner, LLP is the attorney of record. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Mr. Kien Trung Le ceases to lawfully reside in the United States, (ii) Mr. Kien Trung Le's employment with Lowe Hauptman Gilman & Berner, LLP ceases or is terminated, or (iii) Mr. Kien Trung Le ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: January 1, 2004



Harry I. Moatz
Director of Enrollment and Discipline

Interview date: 8/14/03

PROPOSED
Amended
claim
language

1-5. (canceled)

6. (currently amended) An absorbent article, comprising:

a liquid-permeable topsheet; and

a liquid-absorbent core having an upper surface covered by said topsheet and a lower surface, said core further having indented regions arranged along two lines extending longitudinally along transversely opposite sides of said core, said lines spaced apart from each other by a distance gradually increasing from a minimum at a longitudinally middle point thereof to a maximum at longitudinally opposite ends thereof, the lines indented regions longitudinally dividing said core into a central region confined between the lines indented regions and two side regions each located between one of the lines indented regions and the respective one of the transversely opposite sides of said core;

wherein

said core comprises a plurality of indentations arranged along each of said lines, each indentation having side walls extending from an opening formed on the upper surface toward the lower surface and ending at a bottom, a portion of said core confined between said bottom and said lower surface defining one of the indented regions; and

said core contains a fibrous component and a density of the fibrous component in the indented regions is lower than in the central and side regions.

7. (previously presented) The article of claim 6, wherein the indented regions continuously extend along said lines.

8. (currently amended) An absorbent article, comprising:

a liquid-permeable topsheet; and

a liquid-absorbent core having an upper surface covered by said topsheet and a lower surface, said core further having indented regions arranged along two lines extending longitudinally along transversely opposite sides of said core, said lines spaced apart from each other by a distance gradually increasing from a minimum at a longitudinally middle point thereof to a maximum at longitudinally opposite ends thereof, the indented regions longitudinally dividing said core into a central region confined between the indented regions

and two side regions each located between one of the indented regions and the respective one of the transversely opposite sides of said core;

wherein said core contains a fibrous component and a density of the fibrous component in the indented regions is lower than in the central and side regions;

wherein ~~The article of claim 6, wherein~~ the indented regions intermittently extend along said lines.

9. (previously presented) The article of claim 6, wherein a rigidity of said core in the indented regions is not higher than in the central and side regions.

10. **(currently amended)** The article of claim 6, wherein said core further contains super-absorptive polymer particles, said indented regions are devoid of said super-absorptive polymer particles distributed only in the central region.

11. (previously presented) The article of claim 6, wherein said core comprises a plurality of indentations arranged along each of said lines, each indentation having side walls extending from an opening formed on the upper surface toward the lower surface and ending at a bottom, thereby defining the indented regions.

12. (previously presented) The article of claim 11, wherein a distance between the side walls decreases from the opening toward the bottom.

13. (previously presented) The article of claim 11, wherein the openings of the indentations arranged successively along each of said lines are spaced from each other.

14. (previously presented) The article of claim 11, wherein the openings of the indentations arranged successively along each of said lines are contiguous so that to form at least two grooves each extending along one of said lines.

15. (previously presented) The article of claim 14, wherein each of the grooves extends for substantially an entire length of the respective line.

16. (previously presented) The article of claim 15, wherein the grooves intersect in a vicinity of the longitudinally middle point of said lines.

17. (previously presented) The article of claim 14, wherein a depth of at least one of the grooves gradually decreases from the longitudinally middle point of the respective line toward the longitudinally opposite ends thereof.

18. **(currently amended)** The article of claim 11, wherein said topsheet includes a plurality of indented portions each conforming in shape with one of the indentations and received within a space defined by the side walls and bottom of the respective indentation, said topsheet extending continuously within said respective indentation from one of the side walls to the other side walls.

19. (previously presented) The article of claim 11, wherein said topsheet spans over the openings of the indentations without being partially received within spaces defined by the side walls and bottoms of the indentations.

20. (previously presented) The article of claim 6, wherein said lines intersect in a vicinity of the longitudinally middle point thereof.

21. **(currently amended)** The article of claim 6, wherein at least one of the side regions of said core has a thickness gradually decreasing from the respective ~~intended~~ one of the indented regions toward the respective one of the transversely opposite sides of said core.

22. (previously presented) The article of claim 6, wherein the central and side regions of said core have substantially the same thickness.

23. (previously presented) The article of claim 6, further comprising a liquid-impermeable backsheet covering the lower surface of said core and bonded to said topsheet.

24. **(new)** The article of claim 6, wherein an entirety of said core is made of a fibrous material.